

REMARKS

This reply is responsive to the Election of Species Requirement mailed November 1, 2005. The Examiner has restricted the species to one of the following inventions under 35 U.S.C. 121:

- I. Adhesive being an elastomer in fluid form
- II. Adhesive being thermoplastic
- III. Adhesive being a pressure-sensitive adhesive

Applicant respectfully traverses the Restriction Requirement. A restriction requirement was made to the original claims 1-58 in the instant Application and claims 1-9 and 27-45 were elected for examination. A substantive Office Action on claims 1-9 and 27-45 was mailed on 16 May 2005. A response to this Office Action was filed on 16 August 2005, where the response included, but was not limited to, amending independent claims 27 and 34 to provide further clarity and traversing, at least, the rejections of independent claims 27 and 34 with a discussion as to the reasons that claims 27, 34, and the claims dependent on these claims are patentable over the cited art. Applicant notes that claims 27, 34, and the claims that depend on these independent claims are not limited to the species identified in the 1 November Restriction Requirement. Applicant submits that such prior examination of the instant application is evidence that there is no serious burden to examine the instant claims 1-9 and 27-45 in the present application. Serious burden on the Examiner is a required criterion for a proper restriction. See, MPEP 803.

Applicant respectfully requests removal of the instant restriction requirement. In the evident that the restriction requirement is not removed, Applicant elects species I which includes at least claims 1-9. Applicant respectfully reserves the right to reintroduce the non-elected claims for reconsideration in this application upon the allowance of a linking claim or to reintroduce them in one or more divisional applications at a later date.

The Examiner is invited to contact Applicant's Representatives at the below-listed telephone number if there are any questions regarding this Response or if prosecution of this application may be assisted thereby.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 371-2157 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

SUAN J. BOON

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 371-2157

Date 1 December 2005 By David R. Cochran
David R. Cochran
Reg. No. 46,632

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 1 day of December, 2005.

Name

KATE GANNON

Signature

Kate G